IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 546 of 2003

For Approval and Signature:

HONOURABLE MR. JUSTICE B.J.SHETHNA
HONOURABLE MR.JUSTICE H.B.ANTANI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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UNION OF INDIA & 1 - Petitioner(s)
Versus
J J CHAUHAN, EX.PROVISIONAL EDDA PAMOL, - Respondent(s)

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Appearance :
MS PJ DAVAWALA for Petitioner(s) : 1 - 2.MR JITENDRA MALKAN for Petitioner(s) : 1 - 2.MRS SUMAN KHARE for Petitioner(s) : 1 - 2.
RULE SERVED for Respondent(s) : 1,

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CORAM : HONOURABLE MR. JUSTICE B.J.SHETHNA

and

HONOURABLE MR.JUSTICE H.B.ANTANI

Date : 30/11/2006

ORAL JUDGMENT

(Per : HONOURABLE MR. JUSTICE B.J.SHETHNA)

Heard Ms.Davawala for the petitioner. Learned Tribunal, relying on the Full Bench Judgment of Ernakulam Bench, allowed the Application filed by the respondent – original applicant. The same was challenged before this Court by way of this petition on the ground that the said Judgment was carried before the Kerala High Court in the writ petition, which is now dismissed. The Union of India has now accepted the decision of Kerala High Court by not carrying the matter further before the Hon'ble Supreme Court. Ms.Davawala places on record the photostat copy of Division Bench Judgment of Kerala High Court on the record of the case.

In view of the above, Ms. Davawala was not in a position to press this petition. Accordingly, it is dismissed as not pressed. Interim relief, granted earlier, shall stand vacated. Rule discharged. No order as to costs.

(B.J.SHETHNA,J.)

(H.B.ANTANI, J.)

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